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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,116	01/20/2004	Sanjiv Nanda	040092/QUALP839US	3945

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EXAMINER	
JAIN, RAJ K	

ART UNIT	PAPER NUMBER
2616	

NOTIFICATION DATE	DELIVERY MODE
02/06/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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TH

Office Action Summary	Application No.	Applicant(s)	
	10/762,116	NANDA ET AL.	
	Examiner	Art Unit	
	Raj K. Jain	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 January 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *7/27/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

Abstract objected to because of the following informalities: Delete last line "Related process are also disclosed". This is broad and does not make sense in the overall context of the abstract.

Claim Objections

Claims 5 and 15 are objected to because of the following informalities: The subject claims are ambiguous, the context of the claims does not make sense, suggest rewording the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 21 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claim is a single means claim, which is subject to undue breadth rejection see MPEP 2164.08(a).

Claim 22 is rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling. Computer readable media critical or essential to the practice of the invention, but is not included in the disclosure. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976). Computer readable media is not disclosed in the specifications as to what type of media for storing of program instructions and the like. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-22 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Johansson et al (USP 7,058,050 B2).

Regarding claim(s)1, 11, 21 and 22, Johansson discloses a network node 330 (Fig. 3) comprising: a transmitter; a receiver (node 330 functions as a transceiver and thus a transmitter and receiver col 4 lines 44-55); and

a controller configured to automatically and repeatedly cause the network node to cycle back and forth between transmitting information on a network with the transmitter and receiving information with the receiver from the network (Fig. 5, node

508 acts as controller as it manages inter-network communications, Fig. 7B illustrates the cyclic communications between nodes Col 17 line 43-col 18 line 20), wherein the lengths of at least some of the transmissions and/or receptions vary in accordance with a pre-determined pattern (col 18 lines 5-12 variable communication lengths are possible, further different pattern schemes can be used col 7 lines 1-4).

Regarding claim(s) 2 and 12, Johansson discloses a pseudorandom noise generator configured to generate a pseudorandom noise code and wherein the pattern is based on the pseudorandom noise code (col 22 lines 3-17).

Regarding claim(s) 3 and 13, Johansson discloses controller is further configured to cause the transmitter to transmit an offset from the pseudorandom noise code indicative of when the network node will be receiving information (col 22 lines 23-30, different delay constraints prevent collisions between transmissions).

Regarding claim(s) 4 and 14, Johansson discloses the controller and receiver are further configured to cause the network node to receive an offset from the pseudorandom noise code from another network node indicative as to when the other node will be receiving information (col 22 lines 23-30, different delay constraints prevent collisions between transmissions).

Regarding claim(s) 5 and 15, Johansson discloses controller is further configured to cause the transmission of the information based on the pseudorandom noise code offset received from the other node (col 22 lines 23-30, different delay constraints prevent collisions between transmissions).

Regarding claim(s) 6 and 16, Johansson discloses the transmitter is a wireless transmitter and the receiver is a wireless receiver (Figs. 3 & 5, each node is a transceiver for transmitting and receiving wireless communications).

7 Regarding claim(s) 7 and 17, Johansson discloses the controller is configured to cause the information that is transmitted and received to be processed by spread spectrum technology (col 2 lines 51-59).

Regarding claim(s) 8 and 18, Johansson discloses configured to function as a cell phone (Figs. 3 & 5, col 4 line 19-21).

Regarding claim(s) 9 and 19, Johansson discloses the controller is configured to cause the ratio of the time the network node transmits to the time the network node receives during each neighboring transmit / receive cycle to be substantially constant (col 18 lines 5-12 variable communication lengths are possible, further different pattern schemes can be used col 7 lines 1-4, one of which is a fixed communication window and thus a constant communication transmit/receive cycle).

Regarding claim(s) 10 and 20, Johansson discloses the controller is further configured to cause the transmitter to transmit information indicative of the ratio (again different pattern schemes can be used col 7 lines 1-4, one of which is a fixed communication window and thus a constant ratio is maintained).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raj K. Jain whose telephone number is 571-272-3145. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Raj K. Jain
/Raj K. Jain/
Art Unit 2616

January 31, 2008